

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KEITH L. NASH,

Plaintiff,

v.

DOUG WADDINGTON *et al.*,

Defendants.

Case No. C04-5161FDB

ORDER

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4.

Before the court are a number of motions filed by plaintiff. The motions include:

1. "Motion for consideration." (Dkt. # 77).
2. Motion to extend time for discovery. (Dkt. # 87).
3. Motion to take depositions. (Dkt. # 88).
4. Motion for appointment of counsel. (Dkt. # 95).
5. Motion to have defendants arrange for depositions and supply all equipment. (Dkt. # 103).

ORDER 1

1 The "Motion for consideration" is **DENIED**. The motion is a self serving challenge to current  
2 access to court policies that are not part of this action.

3 The motion to extend time for discovery, (Dkt. # 87), is taken under consideration. On May 4<sup>th</sup>,  
4 2005 the court ordered the United States Marshals Service to attempt service by mail on Defendant  
5 Tiapula. (Dkt. # 85). The court is waiting to see if this defendant accepts this attempted service. Any  
6 argument or motion regarding discovery deadlines is premature with regard to this defendant. The court  
7 will not extend the time for discovery as to any other defendant given the amount of time discovery has  
8 been open.

9 The motion for appointment of counsel is **DENIED**. This is the second motion for appointment  
10 of counsel in this action. The motion is denied for the reasons stated in the first order denying counsel.  
11 (Dkt. # 95).

12 The remaining two motions deal with discovery. Plaintiff wants the court to order the defendants  
13 to arrange for and pay all costs associated with the taking of deposition in this action. (Dkt. # 88 and  
14 103). Plaintiff is proceeding *in forma pauperis*. While plaintiff is proceeding *in forma pauperis*, this  
15 status does not waive the other costs associated with litigation. Plaintiff must pay for all other costs  
16 of litigation, including the cost of a court reporter if that is his chosen means of recording a  
17 deposition he coordinated with defendants' counsel. Plaintiff's motions are **DENIED**. The Clerk  
18 is directed to send a copy of this Order to plaintiff and counsel for defendants and to remove Docket  
19 number 77, 87, 88, 95, and 103 from the court's calendar.

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21 DATED this 10<sup>th</sup>, day of June, 2005.

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25 Karen L. Strombom  
26 United States Magistrate Judge  
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